

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 05-383(1) (DWF/JSM)

Plaintiff,

v.

**ORDER**

Anthony Alan Taylor,

Defendant.

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W. Anders Folk, Assistant United States Attorney, United States Attorney's Office, counsel for Plaintiff.

Rick E. Mattox, Esq., Mattox Law Office, counsel for Defendant.

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This matter is before the Court upon Defendant Anthony Alan Taylor's ("Defendant") objections to Magistrate Judge Janie S. Mayeron's Report and Recommendation dated January 13, 2006, recommending that: (1) Defendant's motion to suppress evidence of pre-trial identification and in-court identification of the Defendant be denied as moot pursuant to the representation of Defendant's counsel at the time of the hearing; (2) Defendant's motion to suppress evidence obtained as a result of search and seizure of evidence be denied; and (3) Defendant's motion to suppress arrest be denied.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1(c). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Defendant's objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

**ORDER**

1. Defendant Anthony Alan Taylor's objections (Doc. No. 38) to Magistrate Judge Janie S. Mayeron's Report and Recommendation dated January 13, 2006, are **DENIED**.

2. Magistrate Judge Janie S. Mayeron's Report and Recommendation dated January 13, 2006 (Doc. No. 35), is **ADOPTED**.

3. Defendant Anthony Alan Taylor's Motion to Suppress Evidence of Pre-Trial Identification and In-Court Identification of the Defendant (Doc. No. 17) is **DENIED** as moot pursuant to the representation of Defendant's counsel at the time of the hearing.

4. Defendant Anthony Alan Taylor's Motion to Suppress Evidence Obtained as a Result of Search and Seizure of Evidence (Doc. No. 21) is **DENIED**.

5. Defendant Anthony Alan Taylor's Motion to Suppress Arrest (Doc. No. 22) is **DENIED**.

Dated: January 25, 2006

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court